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August 2, 1979

Mr. Fred L. Riding
Plant Manager
Stauffer Chemical Co.
Manila Star Route
Vernal, Utah 84078

RE: Vernal Phosphate Mine
ACT/047/007

Dear Mr. Riding:

The Division staff still requests some further clarifications on the points which were addressed in our letter to you of April 6, 1979 and responded to by Stauffer on May 31, 1979. The items referred to in the above-mentioned letters will again be addressed individually.

Concerning the reclamation of the present tailings area:

1. Stauffer's commitment as stated is acceptable to the Division.
2. The Division would like a commitment to impound no more than a specified maximum number of vertical feet of water in the lowest part of the area being drained by the spillway.
3. Stauffer's commitment as stated is acceptable to the Division.

Concerning Division recommendations in working towards an approved plan:

1. Stauffer's commitment as stated is acceptable to the Division.

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2. Stauffer's commitment as stated is not complete concerning future road fills. Plans for fill structures must be submitted to the Division prior to site preparation and construction. This step is necessary for two reasons.
 - a. The structures will be permanent and the Division must be assured that the variance to be granted is a sound and reasonable action; and
 - b. The State Engineer must approve all impounding structures in the State. The Division would find the figures drawn from a hydrologic evaluation sufficient to determine the status of a designed fill.
3. Stauffer's commitment as stated is acceptable to the Division provided that the term "restored" includes regrading and revegetation.
4. Stauffer's commitment as stated is acceptable to the Division.
5. It is agreed between the Division and Stauffer Chemical Company that a variance to Rule M-10(4) is not needed.
6. To the end of initiating a surety agreement in the form of a contract the Division requests the following specific information:
 - a. A scaled map of the mine plan area delineating the disturbed areas since 1975 and areas disturbed prior to 1975 but which were utilized since that time. The latter areas mentioned might include such surface facilities as access roads, tailings ponds and the office and milling facilities.
 - b. The number of total acres disturbed as set out in (a.) above.
 - c. An estimation of the average number of acres which would be in a disturbed state during any given year.
 - d. An estimation of the amount of the reclamation surety for the mine. This estimation would be used as a working point for the Division staff and would thus facilitate the approval process. This estimation is not required to be submitted by Stauffer Chemical Company but would be useful especially if included with a sample surety contract.

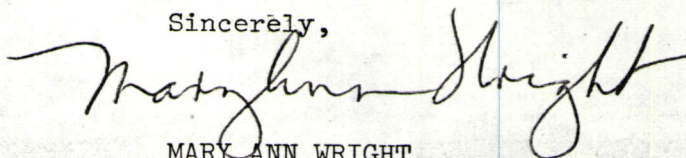
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7. Stauffer's commitment as stated is not completely acceptable to the Division. A commitment is needed to develop a reasonable revegetation program pursuant to the requirements of Rule M-10(12), Title 40-8, Utah Code Annotated. The information which was submitted is not sufficient to be considered the "full content of ongoing revegetation testing plans." The "full content" must include:
- a. Plot sizes,
 - b. Information on replication plots,
 - c. An explanation of any techniques utilized for each plot; ie. fertilizer rates, mulching rates, seed bed preparation, and irrigation techniques,
 - d. The seeding rates of each species given by common and scientific name and the total seeding rates by pounds per acre,
 - e. The exact location of all test plots,
 - f. An explanation, to include all of the above, of the Division of Wildlife Resources Plot (as shown on the map submitted to the Division on May 31, 1979),
 - g. The results of success of all such testing plans as set forth in an annual report. Success must be measured by percent surface cover of the vegetation.

The Division staff feels that the issuance of tentative approval is possible by the end of September given that the above requested commitments and information have been received and approved by the Division. It is strongly suggested that Stauffer Chemical Company set up a meeting between its representatives and the Division. The participants at such a meeting should include legal representatives from both parties to allow for the final development of a surety contract. If all arrangements as described above have been finalized by September 14, 1979, the Division will be able to recommend tentative approval to the Board of Oil, Gas and Mining at their September meeting.

Please contact the Division if you have any questions.

Sincerely,



MARY ANN WRIGHT
RECLAMATION BIOLOGIST

MAW/te

cc: Thomas J. Scheffel